

## MINUTES

### UTAH OCCUPATIONAL THERAPY LICENSING BOARD MEETING

April 25, 2006

Room 428 – 4<sup>th</sup> Floor – 9:00 A.M.  
Heber Wells Building

**CONVENED:** 9:04 A.M.

**ADJOURNED:** 11:30 A.M.

**Bureau Manager:**  
**Board Secretary:**

Noel Taxin  
Karen McCall

**Board Members Present:**

M. Carol O'Meara, Chairperson  
Bonnie P. Held  
Brenda K. Lyman  
Shari Bloom

**Board Members Absent:**

Noni Smith

**Guests:**

Craig Jackson, Division Director

#### **TOPICS FOR DISCUSSION**

#### **DECISIONS AND RECOMMENDATIONS**

##### **ADMINISTRATIVE BUSINESS:**

Swearing in of Shari Bloom as a Board Member

Ms. Taxin conducted the swearing in of Ms. Bloom as a Board member. **The Board welcomed Ms. Bloom.**

Read and approve the January 24, 2006 Minutes.

Ms. Lyman made a motion to approve the minutes as read. Ms. Held seconded the motion. **The Board vote was unanimous.**

##### **APPOINTMENTS:**

**9:30 A.M.**

Julie Folland, Probationary Interview

Ms. Folland met for her probationary interview.

Ms. Taxin introduced the new Board member, Ms. Bloom.

Ms. O'Meara conducted the interview.

**Ms. Taxin reported that Ms. Folland has completed the required continuing education. Ms. Taxin asked Ms. Folland if a letter was requested from Dr. Matsumura documenting having read the Stipulation and Order, support for Ms. Folland to follow the Order, a statement of Ms. Folland's diagnosis and the treatment prescribed.**

Ms. Folland responded that Dr. Matsumura showed her a copy of the letter in her file and stated that he had faxed a copy to the Division.

**Ms. Taxin requested Ms. Folland obtain a copy of the letter for her probationary file by Friday, April 28. Ms. Taxin asked Ms. Folland to bring the Board up to date on her health problems and her employment.**

Ms. Folland responded that she is working about 8 hours a day at the Draper Rehabilitation Center, which is closer to her home. Ms. Folland stated that Draper Rehab is a small facility, where the nursing staff dispense and wait for the patients to take their medications. Ms. Folland stated that she has broken 2 bones in her foot since the last meeting with the Board and is trying to get the bones to heal enough to be in better health and able to work more hours. Ms. Folland stated that she has requested Linda Wolf, the nurse practitioner with Dr. Matsumura, to change her pain medications. Ms. Folland stated that Ms. Wolf will try tramadol and see if that will work.

**Ms. Taxin stated that a letter will be required from Linda Wolf regarding she has read the Stipulation and Order and is supportive. Ms. Taxin remarked that Ms. Folland has been on probation for a year and the letter from Dr. Matsumura is the only portion that Ms. Folland is out of compliance with the Stipulation and Order. Ms. Taxin stated that the drug testing is adjusted according to the medications Ms. Folland is taking. Ms. Taxin asked Ms. Folland if her goal is to be completely off the medications.**

Ms. Folland responded that she wants to be completely off all medications. Ms Folland stated that she was

referred for a bone scan and it came back fine. She stated that she is only having problems with her left foot. Ms. Folland stated that Dr. Matsumura has been doing some procedures on her back as her back and hips are out of alignment due to walking with the cast. Ms. Folland stated that her system was on a plateau for benefit from the Fulsamax and Dr. Matsumura wants to try Tramadol.

Ms. Folland stated that she is seeing a Dr. Hansen for her foot. Ms. Folland has an appointment with Dr. Hansen the first week in May and he will do another x-ray to see if her bone is getting any stronger. Ms. Folland stated that Dr. Hansen wants to do a biopsy of the foot bone but is unable to until the fracture is healed.

**Ms. Bloom asked if the pain management Dr. is in contact with the foot Dr. so both know what medications Ms. Folland is taking.**

Ms. Folland responded that Dr. Matsumura referred her to Dr. Hansen as they are in the same facility and they are in contact with each other

**Ms. Held asked if Ms. Folland has been in physical therapy for her back.**

Ms. Folland responded that in the past she has been in physical therapy which hurts her back initially when she is doing the therapy but her back feels better after the treatment and her spine is back in place.

**Ms. Taxin remarked that Ms. Folland's reports have been good. Ms. Taxin stated that the Division must have a letter from each Dr. she is seeing that they have read the Stipulation and Order and support the requirements and their diagnosis and treatment plans for Ms. Folland's care. Ms. Taxin requested the letters be submitted by Friday, April 28, 2006.**

**Ms. Folland is currently out of compliance with the Stipulation and Order. An appointment was made for Ms. Folland to meet again July 26, 2006.**

**10:00 A.M.**

W. Scott Crider, Probationary Interview

Mr. Crider met for his probationary interview.

Board members and Division staff were introduced to Mr. Crider.

**Ms. Taxin explained the interview process and asked Mr. Crider to explain the circumstances that brought him before the Board.**

Mr. Crider responded that he was accused of sexually inappropriate conduct in the workplace with an employee. Mr. Crider stated that he should not have made the comments and there was a witness who overheard the conversation and reported it. Mr. Crider stated that he works in a home health care agency, 2 school districts and a hospital in the Price, Utah area.

**Ms. Taxin asked Mr. Crider to explain his understanding of the requirements in the Stipulation and Order.**

Mr. Crider responded that he must do the following:

1. Work a minimum of 16 hours a week.
2. Have a psychological evaluation and submit a copy of the evaluation for the Board to review.
3. Submit monthly reports from his employer.
4. Complete 20 hours of CE within the first year.

Mr. Crider stated that he has the employer report from Robert Powell.

**Ms. Taxin accepted the report and stated that the other 3 employers must also submit monthly reports. Ms. Taxin stated that all 4 employers must also submit a letter of having read the Stipulation and Order and agree to support the Division in the action taken.**

Mr. Crider responded that he will contact the other 3 employers regarding submitting the information.

**Ms. Taxin asked if Mr. Crider has made an appointment with a Psychologist he does not know for the psychological evaluation. Ms. Taxin reminded Mr. Crider to furnish a copy of the**

**Stipulation and Order to the Psychologist. Ms. Taxin stated that a copy of the report must be submitted to the Division for the Board to review.**

Mr. Crider responded that he has made an appointment for this afternoon.

**Ms. Taxin asked if Mr. Crider has a different supervisor at each employment site.**

Mr. Crider responded that he does have different supervisors at the different sites. Mr. Crider stated that he only meets once a month or as needed with some of the places where he is employed due to the inconsistent work schedules. Mr. Crider asked if he still needs monthly reports if he has not worked.

**Ms. Taxin responded that the supervisors must be approved by the Board and yes, a report is required each month for 6 months and then the Board will consider moving to quarterly reports. If Mr. Crider has not worked at a specific facility during the month the supervisor would submit the monthly report stating they did not meet because he was not scheduled to work.**

Mr. Crider asked about the monthly reports when school is out for 3 months during the summer.

**Ms. Taxin responded that the supervisor should submit a report and state that school is out, Mr. Crider will not be working there until the fall and the reports will start again in the fall.**

**Ms. Taxin recommended Mr. Crider and his supervisors review and discuss boundary issues.**

**Ms. Lyman asked Mr. Crider if he goes alone into the homes of patients.**

Mr. Crider responded that his supervisor goes into the home with him as he usually sees orthopedic or geriatric patients.

Mr. Crider inquired about courses for the continuing education requirement.

**Ms. Taxin stated that Mr. Crider must have his continuing education pre-approved. Ms. Taxin volunteered to send Mr. Crider information from the Social Work profession which usually has courses in ethics and boundary issues among other ethics classes she has collected. Ms. Taxin stated Mr. Crider has 1 year to complete the 20 hour CE requirement which includes 1 class in sexual harassment that must be completed within 6 months.**

Mr. Crider asked if the video tapes and discussions on sexual harassment presented at one of his places of employment would count toward meeting the CE requirements.

**Ms. Taxin responded that Mr. Crider would need to submit a statement regarding the video tapes and discussions and what he learned for her to review in order to consider accepting it toward the CE requirement.**

**Ms. Taxin stated that the Board would review the psychological evaluation to determine if therapy is required. Ms. Taxin stated that the Psychologist will include any recommendations with the evaluation.**

Mr. Crider stated that he did go for personal counseling. He stated that his therapist terminated the therapy and Mr. Crider thought a letter was sent to the Division. Mr. Crider stated that he attends a self help group that is a 12 step group for support.

**Ms. Taxin responded that the Division has not received a letter from a therapist regarding therapy or termination of therapy. Ms. Taxin suggested Mr. Crider contact the therapist to submit a report which includes what issues they were working on and the therapists recommendation of termination. Ms. Taxin stated that when Mr. Crider attends the 12 step support group he must have a note from the leader regarding his attendance to submit to the Division.**

**Ms. Taxin summarized that for the next appointment Mr. Crider must do the following:**

1. **Complete a psychological evaluation.**
2. **Submit a report from the therapist he was seeing describing his past therapy and recommendations.**
3. **Submit letters from all his supervisors/employers regarding having read the Stipulation and Order and their willingness to continue supervising Mr. Crider and supporting the requirements of the Stipulation and Order.**
4. **The Board secretary, Karen, will mail a list of the CE information to Mr. Crider so he can comply.**

**Ms. Taxin notified Mr. Crider that all public meetings, including the probationary interviews, will be recorded after May 1, 2006.**

**Mr. Crider was found in compliance with his Stipulation and Order. An appointment was made for Mr. Crider to meet again on Wednesday, July 26, 2006.**

## **DISCUSSION ITEMS:**

### **Law and Rule Examination**

Ms. Taxin explained that there have been some problems with the testing agency and the Division is in the process of changing the contract with Thomson Prometric. Ms. Taxin stated that the Utah Law and Rule Examination will be put into the application with some general questions regarding the profession.

**Board members voiced agreement that the testing agency has been difficult and agreed that examination questions should be included in the application.**

### **Legislative Update**

Ms. Taxin reported that the Legislature made changes to the Open Meetings Act to require all public meetings to be taped starting May 1, 2006. Ms. Taxin explained the process for the Board chairperson and that all speakers must first identify who they are or the chairperson will identify. Ms. Taxin stated that meetings may be closed for discussion of mental status and for sensitive issues when necessary.

**Board members thanked Ms. Taxin for the**

**notification.**

FYI

Ms. Taxin explained that only items on the agenda may be discussed at the Board meetings, the agenda's must be posted 24 hours in advance of a meeting and if Board members have items for the agenda, please contact her or the Board Secretary, Karen McCall.

**Board members noted the information.**

FYI

Ms. Taxin reported that House Bill 136, which would allow treatment by unlicensed people did not pass.

Ms. Taxin stated that the group sponsoring the Bill may try to bring it up again in next years session.

**Ms. Lyman responded that the Occupational Therapy Lobbyist has requested feedback from people in the House. Ms. Lyman stated that the House is not interested in the Bill as it did not pass the House.**

**Board members noted the information.**

Reschedule of Board Meeting

Ms. Held notified the Board that she will be unavailable on July 26, 2006 for the Board meeting. Ms. O'Meara notified the Board that she will also be out of town on that date. Both requested the Board be rescheduled for a different date.

**After a review of calendars, the Board meeting was rescheduled for August 3, 2006 from 9:00 am to about 12:00 pm.**

**CORRESPONDENCE:**

NBCOT News Flash March 2006

The Board reviewed the NBCOT New Flash, March 2006. **No action taken.**

**NEXT MEETING SCHEDULED FOR:**

Wednesday, August 3, 2006



**MEETING ADJOURNED AT:**

11:30 A.M.

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Date Approved

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Chairperson, Utah Occupational Therapy Licensing Board

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Date Approved

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Bureau Manager, Division of Occupational & Professional Licensing